

Appln. No. 10/804,414
Amdt. Dated April 11, 2006
Reply to Office Action of Jan. 11, 2006

REMARKS

In the official action, the Examiner, *inter alia*:

- Raised objection under 35 USC § 112 to claims 16,17 and 21
- Rejected claim 1 in view of O'DANIEL, PELLEGRINI and DURANT
- Rejected claim 7 in view of O'DANIEL and PELLEGRINI
- Rejected claim 19 in view of O'DANIEL and PELLEGRINI

With regard to the USC § 112 objection, claims 16, 17 and 21 have been amended to address the concerns of the Examiner respecting clarity.

Regarding the objection to claim 1, the Examiner opines that it would have been obvious to one of ordinary skill in the art to modify O'DANIEL with the unitary upper blade of DURANT in order to simplify actuation. The applicant strenuously disagrees. O'DANIEL, at column 1, lines 50-59, describes disadvantages associated with prior art unitary members, and at column 1, line 67-column 2, line 2, specifically teaches as an object the provision of distinct and individually actuable hopper units for transferring separable materials to the vehicle body. In view of the foregoing, persons of ordinary skill in the art would manifestly not be led to use a unitary blade in conjunction with the O'DANIEL structure, both because O'DANIEL suggest disadvantages flowing from unitary blades, and because the use of a unitary blade avoids the very object of the O'DANIEL structure, namely, distinct and individually actuable hopper units. (The "hopper units" of the present invention are driven by separate cylinders, but, by virtue of the unitary blade, are not separately actuable.) Reconsideration and withdrawal of the 35 U.S.C. § 103(a) rejection is respectfully and earnestly requested.

Regarding the objection to claim 7, same has been rendered moot by the amendment herein, whereby claim 7 has been amended to depend from claim 1.

Regarding the objection to claim 19, the Examiner teaches that PELLEGRINI teaches a trough divided internally into separate receptacles. The claim contemplates a trough which defines receptacles which receive waste, which waste is displaced by a packer. PELLEGRINI does not teach a trough of the type claimed, but rather, teaches a bucket, which dumps waste.

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Reconsideration and withdrawal of the 35 U.S.C. § 103(a) rejection is respectfully and earnestly requested.

Reconsideration of the above-identified application in view of the preceding comments and following remarks is respectfully requested.

Unless specifically stated herein, all amendments made were made for the purposes of clarifying the claims and were not made for reasons relating to any statutory requirement.

Respectfully submitted,



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